

Message Text

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43

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SUBJECT: FRANCE-CANADA-HAWAII TELESCOPE

DEPT PASS SCI/SA/RICHMOND

CINCPAC FOR POLAD- PASS UNIV. OV HAWAII FOR CLEVELAND

AND JEFFERIES

AS REQUESTED FOR MEETINGIN PROGRESS, FOLLOWING IS
VERBATIM ENGLISH TEXT OF CANADIAN NOTE REGARDING THE
FRANCE-CANADA-HAWAII TELESCOPE PROJECT.

BEGIN TEXT:

NO. FLA-537

THE DEPARTMENT OF EXTERNAL AFFAIRS PRESENTS
ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF
AMERICA AND HAS THE HONOUR TO STATE AS FOLLOWS.

THE CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE
OF FRANCE, THE NATIONAL RESEARCH COUNCIL OF CANADA AND
THE UNIVERSITY OF HAWAII HAVE UNDERTAKEN CONSULTATIONS ON
THE CONSTRUCTION AND UTILIZATION IN COMMON OF A 3.60 M.
TELESCOPE AT MAUNA KEA, HAWAII. A MEMORANDUM OF UNDER-
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STANDING HAS BEEN PREPARED BY THESE THREE AGENCIES. IT

SETS OUT THE GENERAL CONDITIONS GOVERNING THEIR PARTICIPATION IN THIS PROJECT. THE TEXT OF THE MEMORANDUM OF UNDERSTANDING IS ATTACHED AS AN ANNEX TO THIS NOTE.

THE GOVERNMENT OF CANADA EXPRESSES ITS INTEREST IN THIS PROJECT OF SCIENTIFIC CO-OPERATION. IT APPROVES THE INTENTION EXPRESSED BY THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING TO TAKE THE NECESSARY STEPS TO CARRY OUT THIS PROJECT DURING THE INTERIM PHASE PRECEDING THE ESTABLISHMENT OF THE CORPORATION WHICH WILL BE RESPONSIBLE FOR CONSTRUCTING AND OPERATING THE TELESCOPE. IT TAKES NOTE OF THE FACT THAT SUCH INCORPORATION REQUIRES THE APPROVAL OF THE CHARTER OF INCORPORATION BY THE THREE AGENCIES AND THE ENTRY INTO FORCE OF THE RELEVANT UNDERSTANDINGS AND AGREEMENTS AMONG THE AGENCIES AND GOVERNMENTS CONCERNED.

WITH RESPECT TO ARTICLE 7 OF THE MEMORANDUM OF UNDERSTANDING WHICH PROVIDES THAT THE AGENCIES WILL ASK THEIR RESPECTIVE GOVERNMENTAL AUTHORITIES TO GRANT, IN ACCORDANCE WITH APPLICABLE LAWS, RELIEF FROM IMPORT DUTIES AND OTHER TAXES ON ALL GOODS REQUIRED TO CARRY OUT THIS PROJECT, THE CANADIAN GOVERNMENT DEEMS IT DESIRABLE THAT SUCH RELIEF APPLY TO THIS INTERNATIONAL CO-OPERATIVE PROJECT WHICH IS PURELY SCIENTIFIC AND EDUCATIONAL IN NATURE.

GIVEN THAT THE 3.60 M. TELESCOPE WILL BE INSTALLED ON LAND SITUATED WITHIN THE UNITED STATES OF AMERICA, THE CANADIAN GOVERNMENT UNDERSTANDS THAT THE GOVERNMENT OF THE UNITED STATES OF AMERICA INTENDS, AS CONCERNS RELIEF FROM TAXES AND DUTIES, AS WELL AS FROM IMPORT RESTRICTIONS, TOTAL OR PARTIAL, TAKING INTO ACCOUNT THE OBJECTIVES THAT THE THREE AGENCIES HAVE SET OUT FOR THE CORPORATION, THAT THE CORPORATION BENEFIT FROM ALL THE FACILITIES ACCORDED IN CONFORMITY WITH APPLICABLE LAWS TO NON-PROFIT, SCIENTIFIC AND/OR EDUCATIONAL CORPORATIONS IN THE UNITED STATES OF AMERICA.

IF THE TRIPARTITE PROJECT DESCRIBED IN THE ATTACHED MEMORANDUM OF UNDERSTANDING IS ACCEPTABLE TO UNCLASSIFIED

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THE GOVERNMENT OF THE UNITED STATES OF AMERICA, INsofar AS IT IS CONCERNED, AND IF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AGREES THAT THE CORPORATION BENEFIT FROM ALL THE FACILITIES ACCORDED IN CONFORMITY WITH APPLICABLE LAWS TO NON-PROFIT, SCIENTIFIC AND/OR EDUCATIONAL CORPORATIONS IN THE UNITED STATES OF AMERICA, AND PROVIDE FURTHER THAT THE GOVERNMENT OF HAWAII, IN ITS AREA OF COMPETENCE, APPROVES OF THE MEMORANDUM OF UNDERSTANDING, THE GOVERNMENT OF CANADA

PROPOSES THAT THE GOVERNMENTAL APPROVAL WHICH, IN CONFORMITY
WITH THE PREAMBLE OF THE MEMORANDUM OF UNDERSTANDING, MUST
PRECEDE ITS SIGNATURE AND ENTRY INTO FORCE, SHALL BE CON-
SIDERED AS GIVEN.

THE DEPARTMENT OF EXTERNAL AFFAIRS AVAILS ITSELF
OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED
STATES OF AMERICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION.
END TEXT.
SCHMIDT

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NNN

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